



# THE CARLSBAD CITY COUNCIL WELCOMES YOUR PARTICIPATION

## May 11, 2010 AGENDA

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### CITY COUNCIL AND MUNICIPAL WATER DISTRICT

#### TO SPEAK TO COUNCIL AT TONIGHT'S MEETING:

1. For Public Hearings it is not necessary to fill out a "Speaker Card". For all other items, fill out a "Speaker Card".
  - a. For items listed on the agenda (including Consent Calendar), there is a five (5) minute time limit on individual speakers.
  - b. For items not listed on the agenda (Public Comment), there is a three (3) minute time limit on individual speakers.
2. Before the item is heard, place the card in the clear tray marked Speaker Slips. It is located on the wall adjacent to the Deputy City Clerk.
3. When called by the Mayor, come forward and begin by stating your name and address.

#### OTHER INFORMATION:

- Citizens may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to ten (10) minutes.
- It is Council's policy to adjourn meetings no later than 10:00 P.M.
- Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990 by contacting the City Manager's office at (760) 434-2821. All persons requiring reasonable accommodations or auxiliary aids in order to effectively participate in the meeting may contact the City Manager's office by noon on the Monday preceding the meeting to make such arrangements.
- *PLEASE NOTE: Any agenda related writings or documents provided to the majority of the Council, Board or Commission after distribution of the Agenda packet, will be available for public inspection at the City Clerk's counter located at 1200 Carlsbad Village Drive, Carlsbad, CA 92008. In addition, a binder containing all agenda related writings and documents will be held by the Deputy City Clerk at each Council, Board or Commission meeting and available for public review.*
- *VISUAL MATERIALS FOR CITY COUNCIL: Visual materials should be submitted to the City Clerk's Office no later than noon on the day of a Regular Council Meeting. These materials will be placed on a computer in Council Chambers for public use. Please label all materials with the agenda item number you are representing. Please refer to the time limit maximum for items submitted for viewing. All presentations/digital materials are considered part of the maximum time limit provided to speakers. All materials exhibited to the Council during the meeting (slides, maps, etc.) are part of the public record and must be kept by the Clerk for 60 days after final Council action on the matter. Your materials will be returned upon written request. **Video clips cannot be accommodated.***

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The Agenda and Agenda Bills are available on the City's website:

[www.carlsbadca.gov](http://www.carlsbadca.gov)

CALL TO ORDER: 6:00 P.M.

ROLL CALL: **ALL PRESENT**

APPROVAL OF MINUTES: **APPROVED**

Minutes of the Special Meetings held April 20, 2010.

PRESENTATIONS:

Proclamation Presentation in recognition of K-9 retirement.

Proclamation Presentation in recognition of Water Watchers.

**CONSENT CALENDAR:** *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

**WAIVER OF ORDINANCE TEXT READING:** **APPROVED**

**This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.**

1. **AB #20,233 – STREET LIGHTING AND LANDSCAPING DISTRICT NO. 1.**

Initiating proceedings and ordering the preparation of the Engineer's Report; approving the Preliminary Engineer's Report; and setting a public hearing on the matter for June 22, 2010. Resolution Nos. 2010-111, 2010-112, 2010-113.

ACTION: **APPROVED 5/0**

2. **AB #20,234 – STREET LIGHTING AND LANDSCAPING DISTRICT NO. 2.**

Initiating proceedings and ordering the preparation of the Engineer's Report; approving the Preliminary Engineer's Report; and setting a public hearing on the matter for June 22, 2010. Resolution Nos. 2010-114, 2010-115, 2010-116.

ACTION: **APPROVED 5/0**

3. **AB #20,219 – ACCEPTANCE OF DONATION.**

Accepting a donation in support of the Leo Carrillo Ranch Trust Fund; and, authorizing the appropriation of donated funds. Resolution No. 2010-100.

ACTION: **APPROVED 5/0**

4. **AB #20,220 – ACCEPTANCE OF DONATION.**

Accepting a donation from the Carlsbad Hi-Noon Rotary Club for the structural elements of the relocation of the Historic Twin Inns Gazebo to Magee Park; and, authorizing the appropriation of donated funds. Resolution No. 2010-101.

ACTION: **APPROVED 5/0**

5. **AB #20,221 – 2010-2015 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAMS.**

Authorizing the submittal of the 2010-2015 Consolidated Plan to the U.S. Department of Housing and Urban Development. Resolution No. 2010-102.

ACTION: **APPROVED 5/0**

CONSENT CALENDAR (Continued)

6. AB #20,222 – AUTHORIZE ADDITIONAL FUNDS FOR COASTAL RAIL TRAIL.  
Authorizing the programming of additional funds for the Coastal Rail Trail, Project No. 3455.  
Resolution No. 2010-103.  
ACTION: **APPROVED 5/0**
7. AB #20,223 – APPROVE AMENDMENT TO MUNICIPAL STORM WATER PERMIT COPERMITTEE MEMORANDUM OF UNDERSTANDING.  
Approving the First Amendment to the Memorandum of Understanding between the City of Carlsbad and the Municipal Storm Water Copermittees, NPDES Order No. R9-2007-0001.  
Resolution No. 2010-104.  
ACTION: **APPROVED 5/0**
8. AB #20,224 – AWARD OF CONTRACT.  
Accepting bids and awarding the contract to Atom Engineering Construction for construction of the La Costa Avenue Subdrain, Project No. 3681.  
Resolution No. 2010-105.  
ACTION: **APPROVED 5/0**
9. AB #20,225 – APPROVE CITYWIDE RECORDS RETENTION SCHEDULE REVISIONS.  
Approving revisions to the established Records Management Program for the City of Carlsbad.  
Resolution No. 2010-106.  
ACTION: **APPROVED 5/0**
10. AB #20,226 – REPORT ON CITY INVESTMENTS.  
Accepting the City Treasurer's Report on City Investments as of March 31, 2010.  
ACTION: **APPROVED 5/0**
11. AB #20,227 – CONTINUATION OF DECLARATION OF LOCAL EMERGENCY.  
Continuing the Declaration of Local Emergency for repair and stabilization of a road fill failure along the number two land of Carlsbad Boulevard Southbound, southerly of the Encinas Creek Bridge; and, appropriating additional funds, Project No. 6032.  
Resolution No. 2010-107.  
ACTION: **APPROVED 5/0**
12. AB #20,228 – UTILITY EASEMENT VACATION OVER FILOLI CIRCLE.  
Summarily vacating a portion of a Public Utility Easement over Filoli Circle in CT 05-13, PR, 09-48.  
Resolution No. 2010-108.  
ACTION: **APPROVED 5/0**
13. AB #20,229 – EMERGENCY ACCESS AND FIRE LANE EASEMENT VACATION OVER FILOLI CIRCLE.  
Summarily vacating a portion of an Emergency Access and Fire Lane Easement over Filoli Circle in CT 05-13, PR 09-49.  
Resolution No. 2010-109.  
ACTION: **APPROVED 5/0**
14. AB #20,230 – STREET AND EASEMENT VACATION OVER LAGUNA MESA TRACT 7.  
Summarily vacating a portion of a Street and Utility Easement over a portion of Tract 7 of Laguna Mesa Tract, Tong Property, STV 09-02.  
Resolution No. 2010-110.  
ACTION: **APPROVED 5/0**

## **ORDINANCE FOR INTRODUCTION:**

***This item is continued from the Meetings of April 6, April 13 and April 27, 2010.***

### **15. AB #20,179 – AMEND CARLSBAD MUNICIPAL CODE REGARDING QUALIFICATIONS FOR CITY TREASURER.**

To consider adding Section 2.08.022 to the Carlsbad Municipal Code, establishing certain minimum criteria for eligibility for the elected office of City Treasurer.

Introduction of Ordinance No. CS-080.

ACTION: **Council introduced Ordinance No. CS-080, 5/0.**

## **ORDINANCE FOR ADOPTION:**

### **16. AB #20,231 – WATER EFFICIENT LANDSCAPE ORDINANCE.**

Adopting Ordinance No. CS-089, approving a Zone Code Amendment to repeal Chapter 21.220 – Water-Efficient Landscaping of the Carlsbad Municipal Code and a Municipal Code Amendment to add and enact Chapter 18.50 – Water Efficient Landscape of the Carlsbad Municipal Code, ZCA 10-01/MCA 10-01.

ACTION: **Council adopted Ordinance No. CS-089, 5/0.**

## **PUBLIC COMMENT:**

*In conformance with the Brown Act, no Council action can occur on items presented during Public Comment.*

*A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a SPEAKER CARD and place it in the clear tray on the wall adjacent to the Deputy City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports.*

*When you are called to speak, please come forward and state your name and address.*

## **ADJOURNMENT TO THE SPECIAL MEETING OF THE CARLSBAD MUNICIPAL WATER DISTRICT**

**CITY OF CARLSBAD**  
**MUNICIPAL WATER DISTRICT**  
**SPECIAL MEETING AGENDA**

**May 11, 2010**

**6:00 P.M.**

CALL TO ORDER:

ROLL CALL:

**DEPARTMENTAL AND EXECUTIVE MANAGER REPORT:**

17. **AB #719 – WATER PURCHASE AGREEMENT REVISIONS WITH POSEIDON RESOURCES.**

To consider approving the amended and restated water purchase agreement with Poseidon Resources (Channelside) LLC.

Resolution No. 1397.

ACTION:           **Board adopted Resolution No. 1397, 5/0.**

**ADJOURNMENT TO THE CONTINUATION OF THE CITY COUNCIL MEETING**

CONTINUATION OF THE CITY COUNCIL MEETING

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

18. **AB #20,232 – CAPITAL IMPROVEMENT PROGRAM BUDGET PRESENTATION.**

To receive the presentation on the Preliminary Capital Improvement Program, including information regarding the current status of all capital funds, capital construction budgets, development projections, revenue projections and expenditures for the 2010-2011 fiscal year and for all known projects until buildout of the City; and setting a Public Hearing for June 29, 2010.

ACTION:           **Council received the presentation and set the Public Hearing for June 29, 2010.**

**PUBLIC COMMENT:** Continuation of the Public Comments (if necessary)

*The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.*

**COUNCIL REPORTS AND COMMENTS:** (\*=Appointed by other agency) (Revised 3/24/10)

**BLACKBURN**

Buena Vista Lagoon JPC  
Chamber of Commerce Liaison  
City/School Committee  
Encina Joint Powers (JAC)  
Encina Wastewater Authority  
San Diego County Water Authority Board of Directors  
North County Dispatch Joint Powers Authority (alternate)

**PACKARD**

Buena Vista Lagoon JPC  
City/School Committee  
North County Transit District Board of Directors  
NCTD Performance, Administration and Finance Committee  
League of California Cities - SD Division  
North County Dispatch Joint Powers Authority

**HALL**

Chamber of Commerce Liaison  
SANDAG Board of Directors  
SANDAG Executive Committee  
SANDAG Transportation Committee

**KULCHIN**

CalCoast Board of Directors  
Carlsbad ConVis (alternate)  
Encina Joint Powers (JAC)  
Encina Wastewater Authority (EWA)  
North County Transit District (alternate)  
\*San Diego Authority for Freeway Emergencies (SAFE)  
SANDAG Board of Directors (2<sup>nd</sup> alternate)  
\*SANDAG Shoreline Preservation Committee

**LEWIS**

LAFCO Cities Advisory Committee  
North County Mayors and Managers  
SANDAG (1<sup>st</sup> alternate)  
San Diego County Water Authority Board of Directors, Chair

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

**ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

ADJOURNMENT.